Notices of Public Information

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Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

NOTICE OF PUBLIC INFORMATION

DEPARTMENT OF ENVIRONMENTAL QUALITY WATER POLLUTION CONTROL AZPDES CONSTRUCTION GENERAL PERMIT

1. Name of the agency: Department of Environmental Quality

2. <u>Title and its heading:</u> 18, Environmental Quality

<u>Chapter and its heading:</u> 9, Department of Environmental Quality

Water Pollution Control

Article and its heading: 9, Arizona Pollutant Discharge Elimination System

Section numbers: R18-9-A907

3. A brief description of the proposed general permit:

ADEQ is proposing to issue the construction general permit that authorizes the discharge of pollutants in stormwater discharges associated with construction activity. As used in this permit, "Stormwater associated with large construction activity" refers to the disturbance of five or more acres, as well as disturbance of less than five acres of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb five acres or more (40 CFR 122.26(b)(14)(x)). "Stormwater associated with small construction activity," as defined in 40 CFR 122.26(b)(15), refers to the disturbance of equal to or greater than one and less than five acres of land for construction or the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres. The AZPDES rules, A.A.C. R18-9-A905 incorporate these, and other NPDES federal regulations noted in this Fact Sheet, by reference.

This permit replaces the previous Construction General Permit which was issued for a five-year term by EPA Region 9 in February 1998 (63 FR 7858) and July 1998 (63 FR 36490).

This Construction General Permit authorizes stormwater discharges from large and small construction-related activities that result in a total land disturbance of equal to or greater than one acre, where those discharges enter surface waters of the U.S. or a storm drain. Note the AZPDES authorizing statute uses the term "Navigable Waters" which is defined as equivalent to the waters of the U.S. However, because the term 'navigable waters' can be confusing to the general public (i.e., the definition of 'navigable waters' also includes ephemeral washes, intermittent streams, playas, and wetlands, that may not be able to be traveled by conventional vessels), this permit generally references discharges to waters of the U.S. This permit expands coverage from the 1998 Construction General Permit that provided coverage for large construction sites (i.e., those disturbing greater than five acres) to include both small and large construction activities (i.e., any project disturbing greater than one acre).

4. A description of the permit area:

This general permit covers stormwater discharges from large and small construction activity in Arizona, except for those construction discharges in Indian Country.

5. The time during which the agency will accept written comments:

Comments on the proposed general permit must be submitted to Chris Varga, ADEQ, Water Permits Unit, 1110 W. Washington, Phoenix, AZ 85007 and received or postmarked no later than February 10, 2003. Within the comment period, interested persons may also request a public hearing pursuant to A.A.C. R18-9-A908 concerning the proposed permit. No public hearing is scheduled.

6. The name, address, and telephone number of agency personnel to whom questions and comments on the general permit may be addressed:

Name: Chris Varga

Address: Arizona Department of Environmental Quality, Water Permits Unit

1110 W. Washington, 5370C

Phoenix, AZ 85007

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Telephone: (602) 771-4696 Fax: (602) 771-4674

E-mail: varga.chris@ev.state.az.us

Copies of the proposed general permit and fact sheet are available upon request and on ADEQ's web site at http://www.adeq.state.az.us/environ/water/permits/storm.html.

The proposed general permit and fact sheet are also available at the Arizona Department of Environmental Quality Library, 1110 W. Washington, Phoenix, AZ and may be reviewed any time between 8:30 a.m. and 5:00 p.m., Monday through Friday, excluding legal holidays.

NOTICE OF PUBLIC INFORMATION

STATE BOARD OF EDUCATION CERTIFICATION

1. <u>Title and its heading:</u> 7, Education

Chapter and its heading: 2, State Board of Education

Article and its heading: 6, Certification

Section numbers: R7-2-606, R7-2-609, R7-2-610, R7-2-612, and R7-2-614

2. The public information relating to the listed Sections:

Notice is provided of correction to the Notice of Rulemaking Docket Opening, State Board of Education – Certification, appearing in the *Arizona Administrative Register*, 8 A.A.R. 4426, October 18, 2002.

Under item #5 on page 4426, the date of the close of written comment was incorrectly identified as December 23, 2002.

The close of record for submitting written comments on the proposed rules is 5:00 p.m., January 20, 2003.

3. The name and address of agency personnel with whom persons may communicate regarding the notice of public information:

Name: Christy Farley

Address: Arizona State Board of Education

1535 W. Jefferson Phoenix, AZ 85007

Telephone: (602) 542-5057 Fax: (602) 542-3046